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Dated: May 15, 2009 Signature: /David A. Gass #38,153/
(David A. Gass)

Docket No.: 28079/41785
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David A. Fischhoff et al.

Application No.: 08/434,105

Confirmation No.: 2627

Filed: May 3, 1995

Art Unit: 1638

For: SYNTHETIC PLANT GENES AND METHOD
FOR PREPARATION

Examiner: A. R. Kubelik

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is filed in response to an Office action dated November 25, 2008, in which claims were rejected. Reconsideration is respectfully requested.

Amendments to the Specification: none.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 21 of this paper.

This paper is accompanied by a petition and fee for three months extension of time. Any fees due but unpaid in relation to this submission may be charged to Marshall, Gerstein & Borun deposit account No. 13-2855 under order number 28079/41785.